

CAMPAIGN FINANCE DIVISION

☐ WAIVER REQUEST
☒ RECONSIDERATION REQUEST

DATE: 7/22/2021
DOCKET #:

FILER INFORMATION

Name: Ernest A. Burguières, III
Office: Council Members at Large, City of Mandeville
Parish: ST. TAMMANY
Election Date: 7/11/2020
Level of Office: Any

REPORT INFORMATION

Name of Report: 10-G
Original Due Date: 8/5/2020
Date Filed: 8/13/2020
Activity Receipts: \$1603.38
Expenditures: \$1616.05
Funds at Close of Reporting Period: \$197.98

LATE FEE INFORMATION

Amount of Late Fee: \$320
Days Late: 8
Late Fee Order Received: 1/19/2021
Payment/Waiver Request Due Date: 2/8/2021
Waiver Request Received: 1/25/2021
Additional Information Requested:
XX - Medical
- Financial
- Other

COMMENTS: He had the Coronavirus in March and April, 2020. He was out of business in his law practice as well as shut down his campaign. He was hospitalized in April in connection with this disease. Although discharged from the hospital in early April his physical recovery was not complete for many more weeks. He was unable to work because of not only his recuperation but also his clients or the court's suspension of activities. Then the Governor suspended the April 4th election date until July 11, 2020, resulting changes in campaign finance filing dates. His campaign died and never recovered. He was not able to raise any significant money because in a small race for a town council there is not that much money to go around and the Coronavirus was in full swing. His mistake, resulting from a confluence of pressures, most beyond his control.

OTHER LATE FEE INFORMATION

Campaign Finance:

Other Outstanding Reports: No
Other Outstanding Late Fees: No
Prior Late Fees: Yes
Reassessed Late Fees: No

Disclosure Statements:

Other Outstanding Late Fees: No
Prior Late Fees: No

ERNEST A. BURGUIÈRES, III
A PROFESSIONAL LAW CORPORATION

829 BARONNE STREET
NEW ORLEANS, LOUISIANA 70113

TEL: (504) 523-3456
eab3@bellsouth.net

January 25, 2021

Louisiana Board of Ethics
Post Office Box 4368
Baton Rouge, Louisiana 70821

Re: Late Fee Assessment
July 11, 2020 election
Docket ID: 2020-861

TRANSMITTED BY FAX
(225) 381-7271
ORIGINAL MAILED

Dear Sirs:

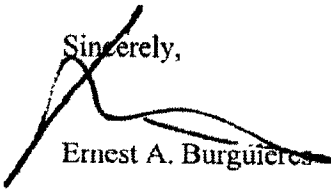
I received your certified January 12, 2021 letter (No. 70200090000073035707) on January 19, 2021 in which you informed me that you declined to waive \$320. fine for the late filing of my 30p report on December 31, 2019. I request a waiver for the following reasons:

Like many Americans, when I was struck with the Coronavirus in March and April, 2020 I was not only seriously ill, but I was out of business in my law practice as well as shut down my campaign. I was hospitalized in April in connection with this disease. Although I was discharged from the hospital in early April my physical recovery was not complete for many more weeks. I was unable to work because of not only my recuperation but also my clients or the court's suspension of activities. Then the Governor suspended the April 4th election date until July 11, 2020, a period of almost 10 weeks with resulting changes in campaign finance filing dates. I am sure that this caused confusion even for experienced campaigns with staffs.

My campaign died and never recovered. Fortunately I did recover. However, I was not able to raise any significant money because in a small race for a town council there is not that much money to go around and the Coronavirus was in full swing. My campaign was basically me. Unfortunately, even though I may have wanted to, the public was not receptive to people knocking on their doors to chat about an election with an airborne infectious disease in the community. I lost my election by 77 votes out of 5,701 cast.

My mistake was just that, a mistake, resulting from a confluence of pressures, most beyond my control. This has been an extraordinary year for everyone. I ask that the Board consider these pressures in reconsidering the waiver of the \$320. late fee imposed on me.

Sincerely,


Ernest A. Burguières

Ernest A. Burguières
Attorney at Law
829 Baronne St.
New Orleans, Louisiana 70113

FAX COVER SHEET

DATE: JAN. 25, 2021

TIME: 9:30 A.M.

TO: LA-BOARD OF
ETHICS

FROM: Ernest Burguières

FAX NUMBER CALLED: 225-381-7271

RE: ERNEST BURGUIERES
DOCKET I.D. 2020-861

MESSAGE: SEE ATTACHED APPEAL

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FAX QUESTIONS: (504) 523-3456
REPLY FAX: (504) 581-7651



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ERNEST A. BURGUIÈRES, III
A PROFESSIONAL LAW CORPORATION

829 BARONNE STREET
NEW ORLEANS, LOUISIANA 70113

January 28, 2021

TEL: (504) 523-3456
eab3@bellsouth.net

Louisiana Board of Ethics
Post Office Box 4368
Baton Rouge, Louisiana 70821

Re: Report Due February 17, 2021

TRANSMITTED BY FAX
(225) 381-7271
ORIGINAL MAILED

Dear Sirs:

I received your January 15, 2021 letter on January 19, 2021 in which you informed me that I had a \$197.98 surplus in my campaign account which may require me to file a supplemental report of receipts and disbursements. A copy of this letter is attached.

The letter explains that there are exceptions to this filing requirement:

1. If I was not elected and/or
2. I did not serve in any public office during the 2020 calendar year; if,
3. My surplus is less than \$2500., or,
4. My election was prior to the calendar year 2016, and,
5. I had no disbursements of the surplus funds.

I was an elected official from 2012-2016.

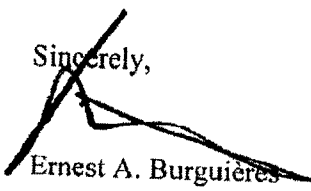
I was not an elected official from 2016-2020.

I did not serve in any public office during the 2020 calendar year

My surplus is less than \$2500.

Do I need to file a supplemental report?

Sincerely,


Ernest A. Burguières



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

January 15, 2021

Ernest A. Burguières, III
P.O. Box 8994
Mandeville, LA 70470

REPORT DUE February 17, 2021

Because your last report for the election held **July 11, 2020** shows a surplus of **\$197.98**, you may be required to file a supplemental report of receipts and disbursements. Supplemental reports are filed annually and must be complete through the preceding December 31st. Supplemental reports are filed until all surplus campaign funds have been disposed of in accordance with law.

Exceptions: If you were not elected and/or did not serve in any public office during the 2020 calendar year, a supplemental report is not required if: your surplus is less than \$2,500 or (2) your election was prior to the calendar year of **2016**, and you had no disbursements of the surplus funds. Also, if you filed an annual report for a future election that includes these surplus funds, you are not required to file a supplemental report. Annual reports are also due February 17, 2021.

If you are required to file a supplemental report, you may download the Candidate's Report form from our website or request the form at (800) 842-6630 or (225) 219-5600. Information regarding electronic filing is available on our website at www.ethics.la.gov

If you choose to electronically file and this is your first time to do so, you must first submit an Electronic Filing Affidavit form and **obtain a password and ID** from this office. Affidavits can be printed from our website and must be received no later than **February 2, 2021**.

Late fees of \$40 per day for any other level candidates will be assessed for every day supplemental reports are late.

Please contact a member of our Campaign Finance staff at (225)219-5600 or (800)842-6630 regarding any questions or necessary corrections.

Ernest A. Burguières
Attorney at Law
829 Baronne St.
New Orleans, Louisiana 70113

FAX COVER SHEET

DATE: 1-28-21

TIME: 10:06 AM

TO: LA. BOARD OF ETHICS

TO: _____

FROM: Ernest Burguières

FAX NUMBER CALLED: 225-381-7271

RE: QUESTION ABOUT SUPPLEMENTAL REPORT

MESSAGE: SEE LETTER

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January 25, 2021

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Post Office Box 4368
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Sincerely,



Ernest A. Burguières

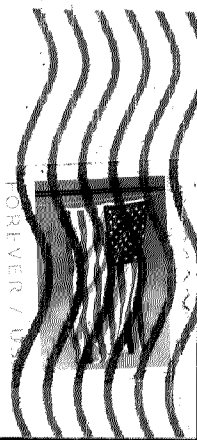
ETHICS BOARD REC'D
JAN 27 '21 PM 1:34

ERNEST A. BURGUIÈRES, III
A PROFESSIONAL LAW CORPORATION

829 BARONNE STREET
NEW ORLEANS, LOUISIANA 70113

NEW ORLEANS LA 700

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Louisiana Board of Ethics
Post Office Box 4368
Baton Rouge, Louisiana 70821

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STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
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BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

March 9, 2021

Ernest A. Burguières, III
P.O. Box 8994
Mandeville, LA 70470

RE: Ethics Board Docket No.: 2020-861

Dear Ernest A. Burguières, III:

You recently requested a waiver of the late fee assessed against you for filing your campaign finance disclosure report late in connection with the July 11, 2020 election. In your request it states you was hospitalized with Coronavirus and due to pandemic it caused a financial hardship. If you would like the Board to consider your medical reason and financial hardship, you must provide documentation verifying your claim. Please provide hospitalization discharge. Also, for financial hardship please provide your most recent tax return or W-2 and complete the enclosed Financial Statement Form to the above mailing address. The information you provide will only be reviewed by the Ethics Board.

Should you have any questions, please contact me at the above number.

Please submit the documentation to the above address by **April 12, 2021**.

Sincerely,

Melissa Horn